

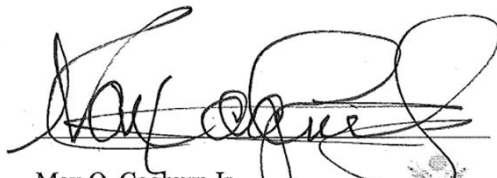
failed to attach the deposition transcript or the pages to which he refers. This failure violates Rule 56(c), which provides in relevant part that a “party asserting that a fact cannot be or is genuinely disputed must support the assertion by ... citing to particular parts of **materials in the record**” Fed.R.Civ.P. 56(c)(1)(A) (emphasis added). Even after receiving such response, Defendant Jones has done nothing to bring his motion into compliance.

Finally, assuming that Defendant Jones could bring his motion into compliance with the filing requirements of Rule 56(c)(1)(A), Defendant Griffin has sufficiently shown that genuine issues of material fact remain for trial as to each of his crossclaims against Defendant Jones.

ORDER

IT IS, THEREFORE, ORDERED that defendant Charles Jones’s Motion to Dismiss and for Summary Judgment of Crossclaims (#104) is **DENIED**.

Signed: May 9, 2014



Max O. Cogburn Jr.
United States District Judge